



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:
CHAUHAN *ET AL.*

CASE NO.: BC1032 US NA

SERIAL NO.: 09/823,373

GROUP ART UNIT: 1637

FILED: 30 MARCH 2001

EXAMINER: FREDMAN, J. N.

FOR: ISOLATION AND EXPRESSION OF A GENE
FOR A NITRILASE FROM *ACIDOVOROX*
72W

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PRELIMINARY AMENDMENT FOR RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

This Reply is filed Concurrently with a Request for Continued Examination. This reply is submitted within three months of the 14 April 2003 mailing date of the Final Action, under the certificate of mailing procedure. Many of these amendments and comments were previously submitted within two months of the mailing date of the Final Office Action but were denied entry in the Advisory Action mailed 17 June 2003. Please enter the following amendments and remarks and reconsider the application on its merits.

Claims 1-20 and 24-48 are pending in this application. Claims 21-23 were previously cancelled. Claims 6-8 and 24-45 were withdrawn from consideration under a restriction requirement. Claims 1-3, 5-9, 11-13, 15-19, 46 and 47 stand rejected. Claims 4, 10, 12, 14, 20, and 47 are objected to.

Claims 1, 2, 9, 10, 12, 20, and 47 are currently amended. Claims 3 and 4 are currently withdrawn as drawn to non-elected subject matter. Claims 5 and 48 are currently canceled. Claims 11, 13-19, and 46 are as originally presented. Claim 49 is new.

The amendments presented herein (pages 2-4) are formatted according to the Notice of Waiver of 37 CFR 1.121 (Amendment in a Revised Format) issued 31 January 2003. The amended claims are drawn only to elected subject matter, Applicants reserving the right to file divisional applications to the subject matter no longer encompassed in the claims as amended or withdrawn.

The numbering of the paragraphs in the Remarks section (pages 5 *et seq.*) corresponds to that of the pending Office Action.